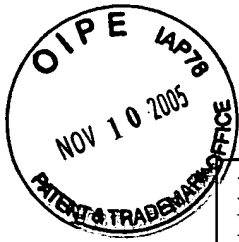


COPE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Graham Michael WYNNE et al.  
Patent No.: 6,949,563 *B2*  
Application No.: 10/752,342  
Attorney Docket No.: OS-10001  
Filed: January 06, 2004  
Confirmation No.: 4508  
Examiner: Susannah E. LEE  
Title: (2-CARBOXAMIDO)(3-AMINOTHIOPHENE COMPOUNDS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **Certificate of Corrections Branch**, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

OSI Pharmaceuticals, Inc.

By *Kim T. Nguyen*  
Kim T. Nguyen

Date *11/4/05*

**BY 1<sup>ST</sup> CLASS MAIL**

**Attention: Certificate of Corrections Branch**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Certificate**  
**NOV 16 2005**  
**of Correction**

**REQUEST FOR EXPEDITED ISSUANCE OF CERTIFICATE OF CORRECTION – ERROR ATTRIBUTED TO OFFICE UNDER 37 CFR 1.322**

Applicants respectfully request that an error in U.S. Patent No. 6,949,63 be made of record and that Commissioner expedite the issuance of a Certificate of Correction.

Applicants noticed a mistake in U.S. Pat. No. 6,949,563 incurred through the fault of the Patent and Trademark Office in column 34, line 20, in which the term “lunch” should have shown --lung-- instead. In order to request expedited issuance of the Certificate of Correction, Applicants provide documentation which clearly discloses in the records of the Office that supports Applicants’ assertion. This is shown in a Notice of Allowability (8 pages, Paper No. 033005) mailed on April 5, 2005 in which Examiner included an Interview Summary agreeing to an Examiner’s Amendment to add to claim 15 the terms “lung...cancer”. The terms “lung...cancer” was included in originally presented and now canceled claim 20 which depended on claim 15.

No fee should be required for this Request for Expedited Issuance of Certificate of Correction due to error attributed to the Office; however, Commissioner is authorized

NOV 18 2005

to charge any deficiencies and credit any overpayment to OSI Pharmaceuticals, Inc.  
Deposit Account No. **50-2783**.

Agent for Applicants can be reached at the telephone number and address below.

Very truly yours,



Kim T. Nguyen  
Agent for Assignee  
Registration No. 47,821  
Telephone (631) 962-2089  
Fax (631) 752-3880

November 4, 2005  
OSI Pharmaceuticals, Inc.  
58 South Service Road, Suite 110  
Melville, NY 11747

NOV 18 2005



Docket #: OS-10001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventors: Graham Michael WYNNE et al.  
Patent No.: 6,949,563 B2  
Application No.: 10/752,342  
Attorney Docket No.: OS-10001  
Filed: January 06, 2004  
Confirmation No.: 4508  
Examiner: Susannah E. LEE  
Title: (2-CARBOXAMIDO)(3-AMINOTHIOPHENE COMPOUNDS

**Attention: Certificate of Corrections Branch**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**1<sup>st</sup> CLASS MAIL CERTIFICATE OF MAILING under 37 CFR 1.8  
FOR ABOVE IDENTIFIED APPLICATION**

- 1) Request for Expedited Issuance of Certificate of Correction (2 pages)
- 2) Certificate of Correction, Form PTO/SB/44 (1 page)
- 3) Copy of Notice of Allowability mailed April 5, 2005 (8 pages)
- 4) Certificate of Mailing under 37 CFR 1.8 (1 page)
- 5) return receipt postcard

are being deposited to the United States Postal Service "1<sup>st</sup> Class Mail Post Office to Addressee" service under 37 C.F.R. §1.8 on November 4, 2005 and is addressed to **Attention: Certificate of Corrections Branch**, Commissioner of Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

Printed Name:

Kim T. Nguyen

Respectfully Submitted,

Registration No. 47,821

Agent for Applicant

OSI Pharmaceuticals, Inc.

58 S. Service Rd Suite 110

Melville, NY 11747

**NOV 18 2005**

**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 6,949,563 B2  
APPLICATION NO.: 10/752,342  
ISSUE DATE : September 27, 2005  
INVENTOR(S) : Graham Michael WYNNE et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 34, line 20, "lunch" should be changed to --lung--.

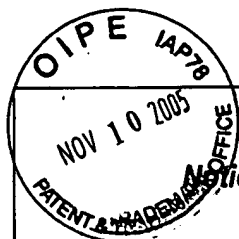
**MAILING ADDRESS OF SENDER (Please do not use customer number below):**

OSI Pharmaceuticals, Inc.  
58 South Service Road, Suite 110, Melville, NY 11747

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

**NOV 18 2005**



# **Notice of Allowability**

Application No.	Applicant(s)	
10/752,342	WYNNE ET AL.	
Examiner	Art Unit	
Susannah Lee	1626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's Remarks filed on 3/11/05.
2. ☒ The allowed claim(s) is/are 1-15 and 21 renumbered as 1-16.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>033005</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                       |
|   | 9. <input type="checkbox"/> Other _____  |



# **Interview Summary**

Application No.

10/752,342

Applicant(s)

WYNNE ET AL.

Examiner

Susannah Lee

Art Unit

1626

All participants (applicant, applicant's representative, PTO personnel):

(1) Susannah Lee. (3) \_\_\_\_\_

(2) Attorney Shu Lee. (4) \_\_\_\_\_

Date of Interview: 29 March 2005.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: 1-21.

Identification of prior art discussed: \_\_\_\_\_

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: In Claim 14, p. 5, line 19, insert ---and--- after the semicolon. In Claim 15, p. 5, line 3, insert ---wherein the hyperproliferative disorder is selected from the group consisting of breast cancer, head cancer, neck cancer, gastrointestinal cancer, leukemia, ovarian, bronchial, lung, or pancreatic cancer--- after the phrase claim 1. Delete claims 16-20.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required

Art Unit: 1626

### **DETAILED ACTION**

Claims 1-21 are pending in this application. Claims 22-39 were canceled by supplemental amendment.

#### ***Response to Amendment/Remarks***

Applicant's supplemental amendment filed on 03/11/2005 is acknowledged.

Applicant's remarks, see pages 7-11, filed 03/11/2005, with respect to Claims 1-14 have been fully considered and are persuasive. The rejections of Claims 1-14 have been withdrawn.

#### ***Examiner's Amendment***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Shu Lee on 03/29/2005.

The application has been amended as follows:

In Claim 14, p. 5, line 19, insert the word ---and--- after the semicolon at the end of the line.

In Claim 15, p. 5, line 3, insert ---wherein the hyperproliferative disorder is selected from the group consisting of breast cancer, head cancer, neck cancer, gastrointestinal cancer, leukemia, ovarian, bronchial, lung or pancreatic cancer--- at the end of the sentence after the phrase claim

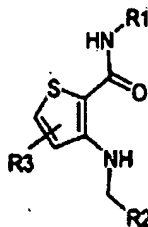
1.

Delete Claims 16-20.

Art Unit: 1626

*Reasons for Allowance*

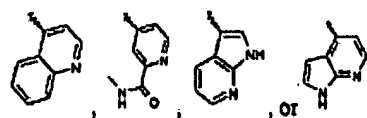
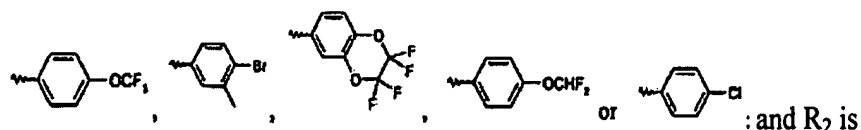
The present invention is directed to (2-carboxamido)-3-aminothiophene compounds as



depicted in the compound of formula (I), . The closest prior art of record is

Wood et al. (U.S. Pat. Num. 6,187,799), which teaches similar 3-aminothiophene compounds.

The difference is that in the instant application, R1 is



prior art does not teach or suggest the instant invention it is allowed.

In addition the present invention is directed to inhibiting c-Kit proto-oncogene using the compound of formula (I). Support for this is found in Applicant's specification and the non-patent literature applicant provided. In addition, the following journal articles provide support for applicant's intended use:

Sihto, Harri et al., "KIT and Platlet-Derived Growth Factor Receptor Alpha Tyrosine Kinase Gene Mutations and KIT Amplifications in Human Solid Tumors," Journal of Clinical Oncology, Volume 23(1), 2005, pp. 49-57.



Art Unit: 1626

Potti, Anil et al., "Immunohistochemical Determination of HER-2/neu Overexpression in Malignant Melanoma Reveals No Prognostic Value, while c-KIT Overexpression Exhibits Potential Therapeutic Implications," Journal of Carcinogenesis, Volume 2(8), 2003.

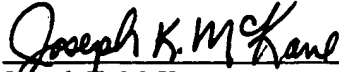
***Telephone Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susannah Lee whose telephone number is (571) 272-6098. The examiner can normally be reached on M-F, 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph McKane can be reached on (571) 272-0699. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susannah Lee  
Patent Examiner, AU 1626

  
Joseph K. McKane  
Supervisory Patent Examiner  
AU 1626  
Date: 03/31/05



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

## NOTICE OF ALLOWANCE AND FEE(S) DUE

38724 7590 04/05/2005

OSI PHARMACEUTICALS, INC.  
58 SOUTH SERVICE ROAD  
MELVILLE, NY 11747

EXAMINER

LEE, SUSANNAH E

ART UNIT

PAPER NUMBER

1626

DATE MAILED: 04/05/2005

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/752,342	01/06/2004	Graham Michael Wynne	OS-10001	4508

TITLE OF INVENTION: (2-CARBOXAMIDO)(3-AMINO)THIOPHENE COMPOUNDS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	07/05/2005

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (703) 746-4000**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

**CURRENT CORRESPONDENCE ADDRESS** (Note: Use Block 1 for any change of address)

38724 7590 04/05/2005

**OSI PHARMACEUTICALS, INC.**  
**58 SOUTH SERVICE ROAD**  
**MELVILLE, NY 11747**

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/752,342	01/06/2004	Graham Michael Wynne	OS-10001	4508

**TITLE OF INVENTION:** (2-CARBOXAMIDO)(3-AMINO)THIOPHENE COMPOUNDS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	07/05/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
LEE, SUSANNAH E	1626	514-300000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.563).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47, Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1	_____
2	_____
3	_____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



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UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/752,342	01/06/2004	Graham Michael Wynne	OS-10001	4508
38724	7590	04/05/2005	EXAMINER	
OSI PHARMACEUTICALS, INC. 58 SOUTH SERVICE ROAD MELVILLE, NY 11747			LEE, SUSANNAH E	
			ART UNIT	PAPER NUMBER
			1626	

DATE MAILED: 04/05/2005

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.